

July 8, 2021

**BY ECF AND ELECTRONIC MAIL**

Hon. Analisa Torres  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St.  
New York, NY 10007-1312

Re: AmySue Salvatore, et ano. v. Airbus Americas, Inc., et al.,  
1:21-cv-03487-AT

Dear Judge Torres:

The undersigned represent the defendants Airbus Americas, Inc. and Airbus S.A.S. (collectively, “Defendants”) in the above-referenced action. Pursuant to Rule I.C. of this Court’s Individual Rules of Practice in Civil Cases, we write on consent of plaintiffs AmySue and Michael Salvatore (“Plaintiffs”) to jointly (1) propose a schedule for Plaintiffs to file a Second Amended Complaint, (2) adjourn the current deadline for Defendants to respond or file a premotion letter, and (3) adjourn the initial pretrial conference currently scheduled for September 2, 2021 to thirty (30) days following the resolution of Defendants’ anticipated motion to dismiss Plaintiffs’ forthcoming second amended complaint.

This case was initially filed in the United States District Court for the District of Massachusetts and, therefore, the complaint contains allegations pertaining to jurisdiction in Massachusetts. Given that the case has been transferred to this Court, Plaintiffs intend to amend their complaint to comport with the filing requirements of the S.D.N.Y. and without adding new claims. Defendants consent to this second amendment and anticipate filing a motion to dismiss the amended complaint. Defendant Airbus S.A.S. has waived service of the current operative complaint and its deadline to answer, move, or otherwise appear is currently July 9, 2021. The parties believe that it would be more efficient to conduct a Rule 26(f) conference and propose a schedule for discovery once the scope of the claims and defenses remaining for litigation, if any, has been determined.

The parties have not previously sought adjournment of the pleading deadlines in this action; they did previously seek and obtain an adjournment of the initial pretrial conference. The initial pretrial conference is currently scheduled for September 2, 2021. The parties’ joint letter and proposed case management plan is due August 26, 2021.

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Accordingly, the parties jointly request that the Court enter the following preliminary scheduling order:

- ☐ Plaintiffs' Counsel shall file an Amended Complaint no later than July 19, 2021;
- ☐ Defendants that have been properly served shall either respond or file a pre-motion letter for their anticipated motion to dismiss by August 26, 2021;
- ☐ The parties shall confer and submit a Joint Scheduling Order for discovery within thirty days after an order is issued on the motion to dismiss, if necessary.

All parties appreciate the Court's consideration of this matter.

Respectfully submitted by:

/s/ Margaret A. Rogers

Attorney for Defendant Airbus Americas,  
Inc.

GRANTED in part, DENIED in part. Accordingly:

1. Plaintiffs' Counsel shall file an Amended Complaint no later than **July 19, 2021**;
2. Defendants that have been properly served shall either respond or file a pre-motion letter for their anticipated motion to dismiss by **August 26, 2021**;
3. No other deadlines shall be affected.

SO ORDERED.

Dated: July 9, 2021

New York, New York



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**ANALISA TORRES**  
United States District Judge